

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

DEBORAH WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 06-5106-CV-SW-DW
)	
ACADEMY, LTD.,)	
)	
Defendant.)	

ORDER

Before the Court is Plaintiff's motion to remand (Doc. 5). Defendant does not respond. Plaintiff submits an affidavit stating: "I suffered damages less than \$74,000.00"; "At no time have I ever claimed damages in excess of \$74,000.00"; and "I understand that I am admitting before the Court and stipulating that I have never and will never claim damages to exceed \$74,000.00." It therefore appears that this court does not have subject matter jurisdiction over this diversity case. Based on Plaintiff's stipulation and the relevant law, see Workman v. Kawasaki Motors Corp., U.S.A., 749 F. Supp. 1010, 1010-11 (W.D. Mo. 1990) (Bartlett, J.); Neighbors v. Muha, 2005 WL 2346968, at *3 (W.D. Mo.) (Fenner, J.), the Court hereby

GRANTS Plaintiff's motion to remand (Doc. 5);

ORDERS that this case is remanded to the Twenty-Ninth Judicial Circuit of Jasper County, Missouri;

ORDERS that Plaintiff should file the affidavit in state court;

ORDERS that the affidavit and stipulation shall be enforced in any future proceeding in this Court; and

DENIES Plaintiff's request for attorney fees.

SO ORDERED.

/s/ DEAN WHIPPLE

Dean Whipple
United States District Judge

Date: November 21, 2006